

WEST CHICAGO INTERGOVERNMENTAL FORUM

**July 29, 2011
Meeting Minutes**

ATTENDEES

Barbara Magel, Counsel for Local Communities
Jamie Geils, WBK Associates, Local Communities
Don Feld, Thorium Action Group
Mark Krippel, Weston
Mike Savage, Arcadis
John Coakley, City of Warrenville
John Oldenburg, DuPage County Forest Preserve District
Jesse DeMartini, DuPage County Forest Preserve District
Chuck Grigalauski, Illinois EPA
Kelly Grahn, IEMA
Gerald Karr, Illinois Attorney General's Office
Mary Fleming, DuPage County State's Attorney's Office
Tim Fischer, U.S. EPA, Superfund
David Seely, U.S. EPA, Superfund

GENERAL TOPICS

Mary Fulghum was not available for the Forum meeting this month, so there was no update on the Anadarko litigation to provide to the Forum. Tim Fischer said that EPA was going through the usual process of discovery, but there was no further information to provide.

There were no questions, so the meeting proceeded to the site updates.

KRESS CREEK/WEST BRANCH DUPAGE RIVER SITE

Tim began by saying that EPA had approved the Reach 8 design in mid-June. Tim said that the start of excavation was delayed until after July 4 due to some last minute access issues. Excavation began just south of Warrenville Road and is proceeding south from that point for now. Tim said that work was primarily being completed on the west side of the West Branch DuPage River, and that some temporary crossings were going to be constructed to obtain access to pods on the east side of the river. Tim said that excavation had been completed to pod R8-16 on the west side of the river, which is about halfway between Warrenville Road and Bower Elementary School. The temporary crossing to pod R8-12 has been constructed to the east side of the river, but rain has caused excavation to stop for a few days until the river recedes. In the meantime, overburden is being excavated from pod R8-19, which is further south, to accomplish

some work while the river is high. Tim said that work is a few days behind the schedule in the work plan, but significant progress is being made.

Tim said that restoration efforts had been completed at the Mack Road staging area at Reach 5D. Planting and grading was also completed in the Reach 7 staging area, other than a few areas that have been postponed until the Warrenville Dam removal project is completed.

Barb Magel asked if a solution had been found to the problem that caused high disposal volumes for Targeted Material last year. Tim said that this was actually less of an issue for the work that was being completed this year, since Reach 8A is primarily Targeted Material along the banks. This will become much more important when construction is accomplished in Reach 8B, which is more similar to Reach 7 with contamination in sediment in the river. Tim said that solutions to the problem are still being considered for Reach 8B, and a resolution would be reached before excavation begins in Reach 8B.

Tim added that the Defense Contractor Auditing Agency (DCAA) audit was being conducted to determine what part of the Reach 7 costs would be reimbursable in 2012. Tim said that EPA had provided some information to support the audit, and that everything appeared to be going well. Barb Magel asked when the audit would be completed. Mark Krippel said it would probably be the end of September or early October before the audit was complete.

Barb asked if we could get started next summer with the \$3.1 million anticipated from DOE next spring if the audit was approved. Tim and Mark said that they did not think that the \$3.1 million would be sufficient to accomplish much work efficiently, but that options would be considered. Barb said if work was initiated with the \$3.1 million, it could provide incentive for the EPA to help with funding for next year. Tim agreed that was a good point for consideration.

Finally, Tim said that Rick Karl's planned tour of the Kress Creek site was postponed until August 11. EPA also plans to conduct a final inspection for Reaches 3B, 4, 5A and 5B on that date to see if they qualify for a Certification of Completion. Inspections will also be conducted for the residential portions of Reaches 5C, 5D, 5E and 6. Tim will provide an update on the outcome of those inspections at the next meeting.

RESIDENTIAL AREAS SITE

David reiterated that all properties identified in 2010 for additional cleanup had been completed. Eleven of the thirteen properties were completed in 2010, and the other two were completed in June 2011. Restoration has also been completed on those properties.

David said that he had also made significant progress in his ongoing review of the remaining properties on the list for review. David said that the original list of properties included 119 properties that required review for additional sampling. To date, David has

completed his records review for 104 of the 119 properties and a preliminary decision has been reached regarding whether further sampling will be required. There are 8 properties that have been reviewed and where David has questions he needs to follow up on before a determination can be made on sampling. The remaining 7 properties are mostly associated with right-of-ways and other unusual circumstances and the reviews have not been completed on those properties.

David said that the next step would be to engage the sampling team to begin obtaining access for properties that require sampling and preparing for that effort under EPA's contract. David said that he hopes to complete his review of the remaining properties within the next few days and make a final decision on all properties that need sampling before the sampling team goes out. David said that, at the moment, it looks like there are 10 to 15 properties that will need additional sampling. That number could increase if some of the 15 properties where David still has questions are added to the list of properties requiring sampling.

Barb asked if the 10 to 15 properties requiring sampling were all residential properties or if some of the them involved right-of-way issues. David said that one or two were former Tronox-owned properties, one was an alleyway where the City may provide access, and the remainder were primarily residential homes. David said that there may be one industrial property, but he would have to verify that.

Barb asked about an update on the three no-access properties. David said that little progress had been made on those properties, but that EPA was preparing another formal request for access. David said that if the request was unsuccessful, EPA was prepared to take legal action to obtain access to these properties for sampling.

David added that a couple of the properties where access is needed may be related to railroad right-of-way issues. He said that these properties could present problems in terms of obtaining access in a timely manner.

Barb reiterated that we need to complete these residential properties as soon as possible in order to be able to tell the City of West Chicago that the site is done. She said this is especially important since the REF may remain open longer to accommodate Targeted Material shipments from the West Branch river cleanup.

OTHER ISSUES

Update on NOAA Grant Projects

John Oldenburg said that the DuPage County Forest Preserve District obtained a successful bid from a company called Earthworks Inc. to accomplish the Warrenville Dam removal. He said the contract will go to the County Board on August 5 for approval. John anticipated that the Notice to Proceed would be received in mid-August and the project would begin in late August. John said that they were very close to

obtaining the required permit from the Corps of Engineers and the Environmental Assessment from NOAA which would allow the project to proceed.

John said that he understood that the West Branch cleanup was moving south from Warrenville Road and would move south of I-88 before returning north to Warrenville just south of the Warrenville Dam. He asked if that was still the plan and when the return to Warrenville would occur. Mike Savage said that was still the current plan, and that the cleanup would not move to the pods north of Warrenville Road until late September at the earliest.

Barb asked if it was still expected that we would accomplish all of the work in the river we had planned for this construction season. Tim said the project was a few days behind schedule, but it was still expected that all planned work would be completed in 2011.

NEXT FORUM MEETING

The next meeting of the West Chicago Intergovernmental Forum is scheduled for **Friday, September 9, 2011, at 10 a.m.** in West Chicago City Council Chambers, West Chicago.